

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN POHLMAN,

Defendant.

4:23-CR-3090

ORDER

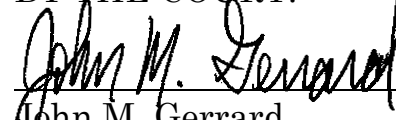
This matter is before the Court on the defendant's motion ([filing 37](#)) to withdraw his objection ([filing 34](#)) to the Magistrate Judge's findings and recommendation ([filing 31](#)) recommending that his motion to dismiss ([filing 23](#)) be denied. The Court will grant the motion to withdraw. And because 28 U.S.C. § 636(b)(1) provides for de novo review of a Magistrate Judge's findings or recommendations only when a party objects to them, *Peretz v. United States*, 501 U.S. 923 (1991), the Court will adopt the Magistrate Judge's recommendation that the defendant's motion to dismiss be denied.

IT IS ORDERED:

1. The defendant's motion to withdraw ([filing 37](#)) is granted.
2. The defendant's objection ([filing 34](#)) is withdrawn.
3. The Magistrate Judge's findings and recommendation ([filing 31](#)) are adopted.
4. The defendant's motion to dismiss ([filing 23](#)) is denied.

Dated this 15th day of December, 2023.

BY THE COURT:



John M. Gerrard
Senior United States District Judge